

IN THE SUPREME COURT OF FLORIDA

INQUIRY CONCERNING A

Supreme Court

Case No.: SC03-1171

JUDGE, NO. 02-487

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RESPONDENT'S RESPONSE TO  
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION'S  
FIRST SET OF INTERROGATORIES TO RESPONDENT

Respondent, Honorable Gregory P. Holder, replies to the following Interrogatories propounded by The Florida Judicial Qualifications Commission, pursuant to Rule 12(a) of the Rules of the Judicial Qualifications Commission, and Rule 1.340, Florida Rules of Civil Procedure, and states under oath:

1. State the names and addresses of all persons who are believed or known by you, your agents or attorneys to have any knowledge of the facts alleged in the Notice of Formal Charges or Answer thereto and, as to each such person, specify the subject matter about which the person has knowledge.

Gregory P. Holder, Colonel, USAF: 419 Pierce St., Room 375, Tampa, FL 33602; wrote the paper and submitted his paper to the USAF A.C. on or about 5 Jan 98.

Deputy Sylvia Morgan: 419 Pierce St., Rm 180, Tampa, FL 33602; observed the research and writing of the A.C. paper, made copies of the Holder paper and the Hoard paper, and gave them to ASA Kenneth E. Lawson.

Ms. Lorraine Pasco: c/o Douglas J. Titus, Jr., Esq., 100 S. Ashley St., Suite 1290, P.O. Box 3240, Tampa, FL 33601; typed the Holder paper and mailed the Holder paper to A.C. on or about 5 Jan 98.

John S. Veneto, Esq. (Colonel, USAF): Bank of America Plaza, 101 E. Kennedy Blvd., Suite 2700 Tampa, FL, received and reviewed a copy of the Holder A.C. paper in Jan 1998.

James C. Russick, Esq. (Lt Col. USAFR): Old Republic Title, 100 S. Ashley Dr., Suite 700, Tampa, FL; conducted research with Colonel Holder in November 1997 at the MacDill AFB library and received, reviewed, and returned a copy of the Holder

AWC paper in Jan 1998.

Colonel Mary V. Perry: PSC 80 Box 21 APO AE 09724; was an AWC student with Colonel Holder during 1997 – 1998, and had conversations with Colonel Holder during the research and writing process of the AWC paper.

Lt Col Dixie Morrow: 5104 Mandavilla Blvd, Gulf Breeze, FL 32563; had completed AWC in or about 1996, provided Colonel Holder with copies of AWC papers for formatting purposes, and had numerous conversations with Colonel Holder during the research and writing of the Holder AWC paper.

Mr. Howard Donaldson: 2615 Rossmere St., Colorado Springs, CO 80919; USAF, AETC, and AWC procedures; good military character and service to the U.S. Air Force Reserve.

Colonel John Odom: 301 Gladstone Blvd., Shreveport, LA 71104; Holder promotion record; USAF and AWC procedures; good military character and service to the U. S. Air Force Reserve.

2. State the names and addresses of all witnesses whose testimony you

expect to offer on your behalf at either the hearing on the Order to Show Cause or the hearing before the Hearing Panel.

In addition to all witnesses listed by the Commission through its attorney, the following witnesses may be called at either the hearing on the Order to Show Cause or the hearing before the Hearing Panel:

Honorable James S. Moody, Jr.  
801 N. Florida Ave., Suite  
Tampa, FL 33602

Honorable Virginia Covington  
Second District Court of Appeal  
1005 E. Memorial Blvd.  
Lakeland, FL 33802

Honorable Martha J. Cook  
800 Twiggs St., Room 414  
Tampa, FL 33602

Honorable Emmett L. Battles  
800 Twiggs St., Room 415  
Tampa, FL 33602

Honorable Williams P. Levens  
419 Pierce St., Room 332-B  
Tampa, FL 33602

Honorable Robert J. Simms  
419 Pierce St., Room 391  
Tampa, FL 33602

Colonel John J. Powers, USAF  
112 Luke Ave, Suite 301  
Bolling AFB, D.C. 20032-5113

Colonel John Odom, USAF  
301 Gladstone Blvd.  
Shreveport, LA 71104

Colonel Howard Donaldson USAF, (Ret.)  
2615 Rossmere Street  
Colorado Spring, CO

Lt. Col. Lauren Johnson-Naumann, USAF  
Military Defense Counsel  
5<sup>th</sup> AF/JA  
Unit 5068  
APO AP 96328

Kevin C. Ambler, Esq.

Major, USAFR  
Florida State Representative  
Park Tower  
400 N. Tampa St., Suite 1100  
Tampa, FL 33602

Patricia Anderson, Esq.  
Suite 405  
447 3rd Ave. North  
St. Petersburg, FL 33701

Herbert Berkowitz, Esq.  
3407 W. Kennedy Blvd.  
Tampa, FL 33609

Mark P. Buell, Esq.  
3003 W. Azeele St., Suite 100  
Tampa, FL 33609

Clifton C. Curry, Jr., Esq.  
750 W. Lumsden Rd.  
Brandon, FL 33509

Scott W. Dutton, Esq.  
1901 N. 13<sup>th</sup> St., Suite 200  
Tampa, FL

James J. Evangelista, Esq.  
501 E. Kennedy Blvd, Suite 1700  
Tampa, FL 33602

S. Cary Gaylord, Esq.  
One Harbour Place  
777 S. Harbour Island Blvd, Suite 900  
Tampa, FL 33602

Thomas M. Gonzalez, Esq.  
501 E. Kennedy Blvd., Suite 1400  
Tampa, FL

James M. Landis, Esq.  
100 N. Tampa St., Suite 2700  
Tampa, FL 33602

Kenneth E. Lawson, Esq.  
400 N. Tampa St., Suite 3200  
Tampa, FL 33602

Mr. Dick Mandt  
201 Kelsey Lane  
Tampa, FL 33619

Thomas J. Roehn, Esq.  
777 S. Harbour Island Blvd.  
Tampa, FL 33602

John F. Rudy, II, Esq.  
220 Franklin St.  
Tampa, FL 33602

James C. Russick, Esq.  
Lt Col USAFR (Retired)  
100 S. Ashley Dr., Suite 700  
Tampa, FL 33602

Marsha G. Rydberg, Esq.  
400 N. Tampa St., Suite 1050  
Tampa, FL 33602

Timon V. Sullivan, Esq.  
113 S. Armenia Ave.  
Tampa, FL 33609

Dale M. Swope, Esq.  
1234 E. 5th Ave.  
Tampa, FL 33605

Special Agent Kelly J. Thomas  
1800 2d St., Room 930

Sarasota, FL 34236

John S. Vento, Esq,  
Colonel, USAFR  
Bank of America Plaza  
101 E. Kennedy Blvd., Suite 2700  
Tampa, FL 33602

Bill Wagner, Esq.  
601 Bayshore Blvd, Suite 910  
Tampa, FL 33606-2761

James Wilkes, Esq.  
One N. Dale Mabry Hwy., Suite 800  
Tampa, FL

Robert V. Williams, Esq.  
201 N. Franklin St., Suite 2600  
Tampa, FL 33602

C. Steven Yerrid, Esq.  
101 E. Kennedy Blvd, Suite 3910  
Tampa, FL 33602

Ms. Lorraine Nasco  
c/o Douglas J. Titus, Jr., Esq.  
100 S. Ashley St., Suite 1290  
P.O. Box 3240  
Tampa, FL 33601

Lt Col William O. Howe, Jr.  
Defense Threat Reduction Agency  
Ft. Belvoir, VA

Lt Col Charles A. Howard  
Chief of Operations and Training

Air War College  
Maxwell AFB, AL

Jeffrey J. Del Fuoco  
Civil Division AUSA  
400 N. Tampa St., Suite 3200  
Tampa, FL 33602

3. State whether you claim that you typed the paper you submitted to the Air War College in January 1998 and if so:

No. I did not type the Air War College paper.

- a. Describe the computer or word processor upon which you typed the paper; and
- b. State whether you still have that computer or word processor in your possession, custody or control.

4. State whether you claim that someone, on your behalf, typed the paper which you submitted to the Air War College in January 1998 and if so:

Yes. The paper was typed by my former Judicial Assistant, Ms. Lorraine Nasco, during December 1997 and January 1998.

- a. Identify the name and address of that person;

Ms. Lorraine Nasco: c/o Douglas J. Titus, Jr., Esq., 100 S. Ashley St., Suite 1290, P.O. Box 3240, Tampa, FL 33601

b. Describe the computer or word processor upon which that person typed the paper; and

The AWC paper was typed on a desktop personal computer.

c. State whether that person or, alternatively, you still have that computer or word processor in their (your) possession, custody or control.

The computer used to type the AWC paper was sold by its owner, Hillsborough County, to a vendor in or about 2000 and was then again sold to another vendor who transported the computer to Asia. This information was provided by the 13<sup>th</sup> Judicial Circuit technology staff. I have no personal knowledge of the location of this hardware.

5. Identify by name and address all persons to whom you believe you gave a copy of the paper which you submitted to the Air War College in January 1998.

While there may have been other persons who received a copy of the AWC paper, the following individuals have confirmed that they received and reviewed a copy of the Holder AWC paper.

Kenneth E. Lawson, Esq.  
400 N. Tampa St., Suite 3200

Tampa, FL 33602

James C. Russick, Esq.  
(Lt. Col. USAFR) (Ret.)  
100 S. Ashley Dr., Suite 700  
Tampa, FL 33602

John S. Vento, Esq.  
(Colonel, USAFR)  
Bank of America Plaza  
101 E. Kennedy Blvd., Suite 2700  
Tampa, FL 33602

Air War College  
Maxwell AFB, AL

6. State the names and addresses of each person whom you expect to call as an expert witness at either the hearing on the Order to Show Cause or the hearing before the Hearing Panel and, as to each, state:

- a. The subject matter on which the expert is expected to testify;
- b. the substance of the facts and opinions to which the expert is expected to testify; and
- c. a summary of the grounds for each opinion.

No experts have been retained at this time.

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Judge Gregory P. Holder

The foregoing Respondent's Response to the Florida Judicial Qualifications Commission's First Set of Interrogatories was sworn to and subscribed before me this \_\_\_\_ day of September 2003, by Gregory P. Holder.

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Notary Public

State of \_\_\_\_\_

My Commission expires \_\_\_\_\_

Personally known \_\_\_\_ or produced the following  
identification \_\_\_\_\_

I certify that on September 12, 2003, Respondent's Response to the Florida Judicial Qualifications Commission's Request For Production was served on September 12, 2003, by facsimile and United States Mail on: JQC Special Counsel, Charles P. Pillans, III, Esq., Bedell Ditmar DeVault Pillans & Coxe, P.A., The Bedell Building, 101 East Adams Street, Jacksonville, FL 32202; and to JQC General Counsel, Thomas C. MacDonald, Jr., 1904 Holly Lane, Tampa, FL 33629. The original Response, together with a diskette containing the document in Word Perfect format, 14 point New Times Roman font, has been sent by Federal Express for filing to Thomas D. Hall, Clerk of the Court, Florida Supreme Court, 500 S. Duval Street, Tallahassee FL 32399-1927.

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David B. Weinstein, Esq.  
Florida Bar No.: 604410  
Virginia Zock Houser, Esq.  
Florida Bar No.: 0848859  
BALES WEINSTEIN  
P.O. Box 172179  
Tampa, Florida 33674-0179  
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-and-



Gregory W. Kehoe, Esq.  
Florida Bar No.: 0486140  
JAMES HOYER NEWCOMER  
& SMILJANICH, P.A.  
4830 W. Kennedy Blvd., Ste. 550  
Tampa, Florida 33609

Attorneys for Defendant